

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

AKORN HOLDING COMPANY LLC, *et al.*,¹

Debtor.

Chapter 7

Case No. 23-10253 (KBO)

(Jointly Administered)

GEORGE L. MILLER, Chapter 7 Trustee of the
bankruptcy estates of Akorn Holding Company
LLC, *et al.*,

Plaintiff,

v.

VERTEX, INC.,

Defendant.

Adv. Proc. No. 25-50359 (KBO)

Re: D.I. 10, 13, 14

JUDGMENT BY DEFAULT

Upon consideration of *Plaintiff's Motion for Entry of Default Judgment Pursuant to Federal Rule of Bankruptcy Procedure 7055* (the "Motion");² and it further appearing that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation thereon,

NOW, THEREFORE, THE COURT HEREBY FINDS THAT:

- A. Notice of the Motion was adequate.
- B. Sufficient legal and factual bases exist for the relief requested in the Motion.

¹ The Debtors in these Chapter 7 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123) and Akorn Operating Company LLC (6184). The Debtors' headquarters was located at 5605 CenterPoint Court, Gurnee, Illinois 60031.

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

C. The Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157(b)(2) and 1334.

D. Plaintiff has requested entry of default and has filed a declaration in support of the Motion stating, upon information and belief, that Defendant is not in the military service and is not an infant or incompetent person.

E. The Court finds that default has been entered by the Clerk of the Court against Defendant [Adv. D.I. 10].

F. Plaintiff has filed a declaration in connection with the Motion showing the amount due to Plaintiff, which is a sum certain.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

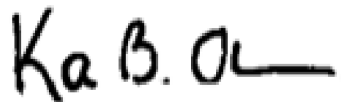
1. Default judgment is hereby entered against Defendant in favor of Plaintiff as to Counts I and II of the Complaint avoiding the Transfers described therein.

2. Default judgment is hereby entered against Defendant in favor of Plaintiff as to Count III of the Complaint in the amount of \$10,841.00 pursuant to Federal Rule of Civil Procedure 55(b)(2), made applicable to the Adversary Proceeding by Bankruptcy Rule 7055, plus post-judgment interest.

3. Default judgment is hereby entered against Defendant in favor of Plaintiff as to Count IV of the Complaint. All claims filed or that may be filed on account of a debt owed to Defendant are **DISALLOWED** unless Defendant pays Plaintiff the amount owed pursuant to paragraph 2 of this Order.

4. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**Dated: October 27th, 2025
Wilmington, Delaware**


**KAREN B. OWENS
CHIEF JUDGE**

United States Bankruptcy Court
District of Delaware

Miller,
Plaintiff
Vertex, Inc.,
Defendant

Adv. Proc. No. 25-50359-KBO

CERTIFICATE OF NOTICE

District/off: 0311-1

User: admin

Page 1 of 2

Date Rcvd: Oct 27, 2025

Form ID: pdfjo

Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2025:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: USTPRegion03.WL.ECF@USDOJ.GOV	Oct 27 2025 21:44:00	U.S. Trustee, Office of United States Trustee, J. Caleb Boggs Federal Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801-3519
ust	+ Email/Text: USTPRegion03.WL.ECF@USDOJ.GOV	Oct 27 2025 21:44:00	U.S. Trustee, Office of the United States Trustee, J. Caleb Boggs Federal Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801-3519
pla	+ Email/Text: gmiller@mctllp.com	Oct 27 2025 21:44:00	George Miller, 1628 John F. Kennedy Blvd, #950, Philadelphia, PA 19103-2110

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		Vertex, Inc.

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2025 at the address(es) listed below:

District/off: 0311-1
Date Rcvd: Oct 27, 2025

User: admin
Form ID: pdfjo

Page 2 of 2
Total Noticed: 3

Name	Email Address
Evan T. Miller	on behalf of Plaintiff George Miller evan.miller@saul.com robyn.warren@saul.com;sean.kenny@saul.com
Michelle G. Novick	on behalf of Plaintiff George Miller michelle.novick@saul.com
Paige Noelle Topper	on behalf of Plaintiff George Miller paige.topper@saul.com cassandra.joyner@saul.com
Steven C. Reingold	on behalf of Plaintiff George Miller steven.reingold@saul.com michele.urann@saul.com
Turner Falk	on behalf of Plaintiff George Miller turner.falk@saul.com tnfolk@recap.email

TOTAL: 5